

Exhibit 5

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case no. 1:23-CV-878

DEMOCRACY NORTH CAROLINA; NORTH)
CAROLINA BLACK ALLIANCE; LEAGUE)
OF WOMEN VOTERS OF NORTH)
CAROLINA,)

Plaintiffs,)

vs.)

ALAN HIRSCH, in his official)
capacity as CHAIR OF THE STATE)
BOARD OF ELECTIONS; JEFF CARMON)
III, in his official capacity)
as SECRETARY OF THE STATE BOARD)
OF ELECTIONS; STACY EGGERS IV,)
in his official capacity as)
MEMBER OF THE STATE BOARD OF)
ELECTIONS; KEVIN LEWIS, in his)
official capacity as MEMBER OF)
THE STATE BOARD OF ELECTIONS;)
SIOBHAN O'DUFFY MILLEN, in her)
official capacity as MEMBER OF)
THE STATE BOARD OF ELECTIONS;)
KAREN BRINSON BELL, in her)
official capacity as EXECUTIVE)
DIRECTOR OF THE STATE BOARD OF)
ELECTIONS; NORTH CAROLINA STATE)
BOARD OF ELECTIONS,)

Defendants.)

30(b)(6) DEPOSITION OF
NORTH CAROLINA BLACK ALLIANCE
By MARCUS BASS

HELD VIA ZOOM

9:33 A.M.

TUESDAY, MARCH 25, 2025

By: Denise Myers Byrd, CSR 8340, RPR

1 A. We have an array of organizations that are
2 comprised of elected caucuses, so the school
3 board members, Black school board members,
4 Legislative Black Caucus, the North Carolina
5 Alliance of Black Municipal Officials.

6 Q. How does NCBA receive its funding?

7 A. We receive our funding through individual
8 donations and through foundations and other
9 organizations.

10 Q. Does it receive grants?

11 A. Yes.

12 Q. To your knowledge, are any of these grants issue
13 specific?

14 A. Yes.

15 Q. Could you give me some examples?

16 A. We have worked with funders to engage in GOTV.
17 A lot of times those GOTV funds will be directed
18 toward specific programs, our youth voter
19 engagement program, our faith voter engagement
20 program, and programs that engage civic and
21 service members across the state.

22 Q. And just so the record is clear, when you say
23 GOTV -- I believe I know what you're saying, but
24 could you just explain what you mean by that or
25 what that stands for?

1 BY ATTORNEY KOONTZ:

2 Q. So taking a step back, just speaking more
3 globally here, what sort of work does NCBA do?

4 A. Yes. The organization has several different
5 issue areas in several different constituent
6 bases that we work around.

7 The organization seeks to ensure that
8 residents understand the unique role that
9 government plays in creating policy and how
10 those policy changes can impact the Black
11 community and the community overall, not just
12 Black constituents.

13 Our work has been focused primarily in
14 the areas of youth voter engagement, engagement
15 with the faith community of which there are a
16 large number of young people that attend these
17 faith community events, faith centers, attend
18 churches in general. We're in the Bible Belt.

19 Also, we work with civic and service
20 organizations like the Divine Nine. These are
21 fraternities and sororities of which a large
22 number of those fraternities and sororities are
23 bound by their mission to do voter engagement,
24 civic engagement, and a lot of those are
25 positioned on campuses. A large membership are

1 college age.

2 We also work directly with

3 Black-elected officials across the state and

4 officials that serve Black communities.

5 Q. So you mentioned that NCBA is focused on a
6 number of I believe you said issue areas and
7 constituent areas.

8 What are the issue areas that NCBA is
9 focused on?

10 A. Yes. So one of our issue areas is focusing on
11 education, access to education, another is
12 economic justice, another is environmental
13 justice, access to healthcare, criminal justice
14 reform and democracy.

15 Q. How does NCBA define democracy?

16 A. So we define democracy as the process by which
17 individual residents have access to government
18 through use of the political process.

19 Q. You also mentioned constituent areas. What
20 constituent areas is NCBA focused on?

21 A. Our constituent areas include Black college
22 students, the faith community, civic and service
23 organizations, some of which I mentioned
24 earlier, and also Black-elected officials.

25 Q. So you mentioned as well the NCBA -- let me ask

1 you: Does NCBA do work on college campuses?

2 A. Oh, yes.

3 Q. Which ones?

4 A. We're currently on 16 campuses across the state.
5 A number of those are Historically Black
6 Colleges, and several of those are predominantly
7 white institutions and community colleges. That
8 doesn't take into account the number of college
9 students that may be receiving our materials
10 electronically or in person that reside on those
11 16 campuses.

12 Q. Could you list for me those 16 campuses?

13 A. Yes. Shaw university, St. Augustine University,
14 Elizabeth City State University, Fayetteville
15 State University, North Carolina Central
16 University, Bennett College, North Carolina A&T
17 State University, Winston-Salem State
18 University, Johnson C. Smith University. I
19 think I mentioned Livingstone College. Maybe I
20 did not mention Livingstone College.

21 Q. I don't believe you did.

22 A. Livingstone College. Barber-Scotia College,
23 Rowan-Cabarrus Community College, Chowan
24 University, UNC Pembroke.

25 Is that 14?

1 Q. That's 14.

2 A. Yes. There are two other community colleges.
3 They escape me, but we engaged with them in
4 2024. I would have to check back in with our
5 team to see which additional community colleges
6 are on our list.

7 Q. I appreciate that. It's certainly not a memory
8 test, but I appreciate you identifying those for
9 me.

10 So, Mr. Bass, let me ask you, of these
11 universities, community colleges, how does NCBA
12 identify which ones they want to partner with or
13 work on those campuses?

14 A. Yes, and that's a very good question. So
15 historically, there have been issues with voter
16 engagement primarily with all students.
17 First-time voters in particular on campuses have
18 reported issues in numerous ways.

19 We work with college campuses primarily
20 that have an interest in civic engagement. All
21 campuses have kind of a mission for civic
22 engagement, but more directly some campuses
23 don't have the resources to fully engage with
24 the students to ensure that every student is
25 prepared to vote. More so, the Historically

1 Black College campuses in North Carolina have a
2 large number of Black college students that need
3 support in navigating and understanding the
4 changes to policies and laws that may impact
5 their right to vote. So we work primarily on
6 those HBCU campuses. A number of those are
7 stated supported. And the private campuses as
8 well that have large populations of Black
9 students. We tend to find that the issues
10 involving the changes oftentimes don't reach
11 those students. So we work primarily on those
12 campuses and other campuses with large
13 populations of Black voters.

14 Q. I appreciate that.

15 ATTORNEY KOONTZ: So I am going to put
16 into the chat what we will mark as Exhibit 2.
17 It's a document NCBA-0001340.

18 (WHEREUPON, Exhibit 2 was marked for
19 identification.)

20 BY ATTORNEY KOONTZ:

21 Q. Just let me know when you've been able to
22 download it and take a look at it.

23 A. All right. I have the document in front of me.

24 Q. Okay. Mr. Bass, do you recognize this document?

25 A. Yes.

1 There's a wide array of policies that
2 impact the general public, and we focus
3 primarily with those groups and organizations
4 that are working towards policy change to
5 improve lives of residents across the state.

6 Q. So looking at the next part of that mission that
7 we read from this Exhibit 2, specifically the
8 phrase "to participate in a conference."

9 A. Yes.

10 Q. What conference is that referring to?

11 A. So historically, we have an event called the
12 North Carolina Black Summit. That is our annual
13 convening of all of our individual partners and
14 stakeholders in the organization. We still host
15 that annual event, but the framing of conference
16 is now more extended and akin to not just a
17 physical space but almost a conference as in
18 like an athletic conference where we know
19 conference is in play all yearlong.

20 So when we say we're in conference, it
21 is a more broader understanding of what that
22 connective tissue is with those important
23 partners, public policymakers, and those
24 individuals interested in public policy in a
25 setting that is more akin to a yearlong

1 collaboration than just a one-time conference
2 that some folks may be more used to in the frame
3 of a conference.

4 We still hold our annual Black Summit,
5 and then there are larger programs and bodies of
6 work and efforts that derive from that
7 conference, and so we are in conference a
8 majority of the year with our stakeholders at
9 the state level and at the local level.

10 Q. Okay. I appreciate that clarification. And
11 just to make sure -- make sure I understand, you
12 know, how NCBA views itself as part of this
13 conference.

14 To take an analogy I think you said
15 about an athletic conference, would it be fair
16 to say that NCBA might see itself as the ACC and
17 then those partnerships or constituents we
18 identified earlier could be NC State, UNC, Duke.

19 Is that a fair description?

20 A. I think if that helps you understand better,
21 yes.

22 Q. And so speaking on the NC Black Summit, is that
23 an event that NCBA still hosts?

24 A. Yes.

25 Q. Will it occur this year?

1 A. Yes. This will be our 19th annual session.

2 Q. When will that event occur?

3 A. April 17th and 18th.

4 Q. So coming up.

5 Do you all have an idea of how many
6 attendees you might have?

7 A. We would -- we have a pretty large attendance in
8 person and virtual. I would imagine we would
9 see anywhere between 400 to 500 individuals
10 attend.

11 Q. What is the purpose of the North Carolina Black
12 Summit?

13 A. So the Black Summit is a space for co-governance
14 in this model in which our individual affiliate
15 members are not elected officials, but they are
16 concerned about policy and changes at the
17 government level are able to talk with
18 individuals that are actually in spaces through
19 their elected office to engage in policy change.

20 We believe in the systemic roots of
21 policy and the origins of those policies and how
22 they impact the Black community. And during the
23 summit, we work to really discuss ways in which
24 government can be more accountable to the
25 people.

1 being situated in solutions that help remedy
2 access to government for the Black community is
3 the best use of our time.

4 Q. Could you give me some examples of initiatives
5 that NCBA considers as improves the African
6 American community?

7 A. Yes. Public education.

8 Q. Okay. Anything else?

9 A. Voting rights.

10 Q. Anything else?

11 A. Healthcare.

12 Q. Anything else?

13 A. Tax policy.

14 Q. Sounds like a broad range of issues. Is that
15 fair?

16 A. Correct. Correct.

17 Q. You can set that document to the side, and I am
18 going to put in the chat what we will mark as
19 Exhibit 3. It is a several page document, but
20 it begins with NCBA_0000035.

21 (WHEREUPON, Exhibit 3 was marked for
22 identification.)

23 BY ATTORNEY KOONTZ:

24 Q. All right. It should be coming through now.

25 Let us know when you've got it, and let us know

1 government, it is coined as progressive. And so
2 in that way, we work towards creating change
3 with those organizations that believe in an
4 expansive role of government.

5 Q. So we've talked a little bit about
6 collaborating. Is NCBA hosting events or are
7 they supporting others who might be hosting
8 events?

9 A. Well, there are varying degrees of
10 collaboration. We will have events in community
11 and then we will also support our partners with
12 events in community that align with the mission.

13 Q. What does that support look like?

14 A. That support looks like staff time. That
15 support may look like research. It may look
16 like training. It may look like supporting
17 through resourcing events, providing
18 sponsorships for events, varying degrees of
19 support.

20 Q. So moving to the second sentence in that
21 paragraph on the second page of Exhibit 3, I'm
22 looking at the sentence:

23 "These issues range from voting
24 rights, gerrymandering, criminal
25 justice reform, health and wellness,

1 vote.

2 Q. Does NCBA consider the requirement that an
3 individual votes in the district in which they
4 reside? Does NCBA consider that a restriction?

5 A. I think NCBA would take pause on the definition
6 of residence.

7 Q. So could you explain that a little more, please.

8 A. Yes. Particularly because North Carolina has a
9 robust system of community colleges and
10 four-year institutions, you will have some
11 individuals that are in residence outside of
12 their birth county or county of origin for an
13 extended period of time.

14 Similar to military personnel or
15 professional that may not reside in
16 North Carolina but also has the right to vote,
17 we would consider any restrictions on or any
18 definition of residency that limits anyone's
19 ability to vote in the county in which they will
20 be living in to be a problem.

21 Q. How does NCBA collaborate on voting rights
22 issues?

23 A. So we collaborate in various ways. Through our
24 conferences, we're able to hear from leaders in
25 community about the changes that policies have

1 or restrictions to voting has.

2 We work with individuals also at the
3 local level, to work with their county boards of
4 elections around understanding how to impact or
5 effect change at the local level in regards to
6 supporting the board of elections in carrying
7 out policies.

8 We also work directly at a state level
9 improving policies where we see policy changes
10 could impact individual's right to vote.

11 Q. So I believe one of the things you mentioned was
12 working with individuals to work with their
13 county boards of election.

14 Does NCBA ever work directly with
15 county boards of election?

16 A. Yes.

17 Q. What percentage of NCBA's programming or
18 networking efforts is focused on issues relating
19 to voting rights?

20 ATTORNEY LOPERFIDO: Objection to form.

21 You can answer it.

22 BY ATTORNEY KOONTZ:

23 Q. You can answer if you understand the question.

24 A. I did. It's hard to gauge because a lot of our
25 work focuses on voters, individual's access to

1 democracy. Thereby, most of our sessions, even
2 if it is based in healthcare or based in
3 economic justice, we have a huge portion of our
4 work that is crafted and ultimately utilizing
5 the political process and improving the
6 political process by means of improving in their
7 issue area, whatever specific issue area the
8 community works in. And so a huge percentage of
9 our work revolves around voting and voting
10 rights.

11 Q. Okay. What about NCBA's expenditures, what
12 percentage of its expenditures relate or are
13 used in voting rights?

14 A. I would say a little over 50 percent.

15 Q. So moving to the next issue in this list,
16 gerrymandering. What does this encompass for
17 NCBA?

18 A. It is education, education around what
19 gerrymandering is, what redistricting is, the
20 broader sense of redistricting, the historical
21 context for redistricting, and then also
22 alternatives to redistricting based on what
23 other practices from governing bodies across the
24 country have enacted, and an assessment of our
25 end product of redistricting and the impact of

1 gerrymandering from a racial standpoint.

2 Also, we look at the impact not just in
3 communities of color but other communities of
4 interest and the process by which those that are
5 elected have the opportunity to draw lines for
6 themselves for then voters to decide in some way
7 around the process. So we're involved in every
8 level of understanding and impacting
9 gerrymandering and redistricting in the broader
10 sense for community.

11 Q. How does NCBA collaborate on this issue?

12 A. On campuses across the state, we have done
13 workshops where we help residents understand the
14 different languages or language in regards to
15 gerrymandering, the packing, cracking, and
16 stacking of districts, the process by which the
17 legislature or other governing bodies because
18 redistricting happens also at the county level,
19 at the school board level. We talk about those
20 varying levels and the similarities in that
21 process.

22 In some cases we've helped community
23 members and our campus groups understand how
24 maps are drawn. The process in some cases
25 is -- needs to be demystified. Some people

1 think there's a magic formula, and we'll go into
2 different ways in which our state has drawn
3 maps. Those are just some examples.

4 Q. So in these campus workshops, are they limited
5 to just college students? You might have
6 mentioned community members. Is it an open
7 invitation?

8 A. So we have varying levels of programs. All are
9 not on college campuses. A lot of them are in
10 community as well.

11 Q. So what percentage of NCBA's programming efforts
12 is focused on issues relating to gerrymandering?

13 A. Issues relating to gerrymandering?

14 Q. Yes.

15 A. Issues related to gerrymandering is a very kind
16 of broad -- I mean, my interpretation is very
17 broad. If a district is gerrymandered and laws
18 change because of that gerrymander or because of
19 the protection of an individual sponsoring a
20 bill or working on a set of issues in community,
21 then that is an issue related to gerrymandering.

22 Q. Okay. What about expenditures?

23 A. Expenditures directly allocated for
24 redistricting or gerrymandering?

25 Q. Let's do both.

1 ATTORNEY LOPERFIDO: I'm going to
2 object to the form.

3 THE WITNESS: I would say that we
4 spend -- maybe 15 to 20 percent of our work is
5 focused on or is connected to gerrymandering and
6 redistricting and the impacts of gerrymandering
7 and redistricting.

8 BY ATTORNEY KOONTZ:

9 Q. I appreciate that.

10 A. We -- and it's difficult to gauge because in
11 some cases we have -- North Carolina A&T, for
12 instance, the largest Historically Black College
13 in the nation was split down the middle
14 congressionally, and for a number of years we
15 worked on campaigns to educate students about
16 the nature in which that gerrymander impacted
17 the voting bloc of students in that community so
18 much so that they received national recognition
19 for the way in which lawmakers carved out
20 segments of that population.

21 That went on for a period of about two
22 to three years before the campus was
23 actually -- the gerrymander was remedied, but it
24 just goes to show how difficult it may be to
25 pinpoint an exact percentage when in some cases

1 we spend an exorbitant amount of time depending
2 on the degree of education needed around
3 redistricting and the severity of gerrymanders
4 in certain areas in our state.

5 Q. So would you agree with me that a lot of those
6 issues, including those listed here in
7 Exhibit 3, they're interrelated?

8 A. Yes.

9 Q. So looking at the next in that list, criminal
10 justice reform, what does that encompass for
11 NCBA?

12 A. So we consider any engagement of the Black
13 community and the carceral state that has
14 questions in regards to the fairness of justice
15 to be a criminal justice reform issue.

16 There is a broad history in
17 North Carolina by which the criminal justice
18 system has been built around and the entire
19 carceral state has been created around the
20 policing and controlling of black residents.

21 Systemically, we look at this notion of
22 sheriffs in community which were derived from
23 these slave patrols. We look at the notion that
24 those origins of policing in community were
25 based in the economic concern, not a social

1 concern or a concern for violence but a concern
2 for maintaining property, and then we look at
3 today the impact of that origin in issues of
4 policing and criminal justice in our country.

5 We look at data trends in regards to
6 the number of Black individuals that have been
7 incarcerated unjustly, and we focus at every
8 level, starting with school-to-prison pipeline,
9 the way in which policing or over-policing
10 happens on our college campuses, and then also
11 in the ways in which criminal justice has been
12 used or the carceral state has been used to
13 limit the franchise of voting for residents that
14 are part of the carceral state.

15 Q. What percentage of NCBA's programming efforts is
16 focused on issues related to criminal justice
17 reform?

18 A. I would say roughly around 10 to 15 percent of
19 our work is focused on the carceral state,
20 criminal justice reform.

21 Q. And what about its expenditures?

22 A. I would not be able to determine what percentage
23 of expenditures.

24 Q. And why is that?

25 A. The way that our program areas are situated in

1 the work, it is difficult to determine a set
2 amount. Again, as members in community work
3 with the Black Alliance around certain issues,
4 there will be need to engage various aspects of
5 the work. They may ask for a training.
6 Individuals in community may ask for a printed
7 infographic. They may ask for us to show up in
8 community for a town hall. We may do research
9 in certain areas.

10 So it's just very difficult to nail
11 down an exact expenditure in the criminal
12 justice space because of varying ways in which
13 we engage with criminal justice. We don't have
14 a set, you know, process by which we expend
15 money for criminal justice work.

16 We have, as the need arises in
17 community, the ability to respond to issues, and
18 then the state level work around following the
19 system at a state level to determine policies
20 that may impact the criminal justice arena.

21 We have a life without the possibility
22 of parole program that we're working with right
23 now. And so there are varying areas of
24 engagement that make it difficult to nail down
25 an exact expenditure on the criminal justice.

1 Q. So is it fair to say that depending on the
2 nature of the specific request or need within a
3 community that that expenditure might fall into
4 another bucket, say, voting rights or one of
5 these other listed health and wellness, just
6 depending on the nature of the need?

7 A. Correct.

8 Q. So moving quickly into the last two listed here,
9 health and wellness. How does NCBA -- what does
10 all that encompass for North Carolina Black
11 Alliance?

12 A. Yeah. For health and wellness, also looking at
13 environmental justice -- excuse me, I need to
14 sneeze.

15 Q. Bless you.

16 A. Sorry about that.

17 So our health and wellness and our
18 environmental justice programming are wrapped
19 into one where we believe that the conditions of
20 health are impacted deeply by how safe our
21 environment is. The aspects of corporate
22 pollution in much of North Carolina impacting
23 our water table, impacting the quality of our
24 air, those have impacts on our health.

25 And so the interconnectedness of

1 wellness is around our environmental justice and
2 access to healthcare. And in communities that
3 we work in North Carolina, we help them to
4 unpack the importance. Beyond just the
5 expansion of Medicaid or Medicare, we look at
6 the overall systemic challenges to wellness in
7 our communities.

8 Q. What percentage of NCBA's programming is focused
9 on issues relating to health and wellness?

10 A. I would say we spend a considerable amount of
11 time and energy in health and wellness or
12 environmental justice and healthcare, access to
13 healthcare. I would say, you know, 30 percent
14 of our work.

15 Q. And what about NCBA's expenditures?

16 A. I think because of our positioning in that
17 space, it is also a little bit more difficult to
18 tell. I would say probably more than our
19 criminal justice work.

20 Q. Okay. And is it difficult to tell for the same
21 reasons we discussed with criminal justice, due
22 to that interrelated need-based --

23 A. That's right.

24 Q. And finally, economic development to education,
25 what does that encompass for North Carolina?

1 A. Access to education is that issue area or that
2 commitment statement, that is one of our most
3 broad issue areas when we talk about the role
4 that public education has played and the
5 geographical plus socioeconomic indicators that
6 represent kind of a diminishing return in public
7 education across our state based on location or
8 race.

9 I think that we look at public
10 education as one of the bigger opportunities for
11 equality in our state, and because of
12 that -- and also because of the expenditure.
13 North Carolina expends a lot of money on public
14 education, and that priority has shifted over
15 the past few years.

16 We spend a considerable amount of our
17 time focusing on access to education at the
18 K through 12 level and then, more importantly,
19 at the higher education levels with our vast
20 college system in North Carolina and the changes
21 therein as well.

22 Q. You said a considerable amount of time. What
23 percentage of NCBA's programming efforts is
24 focused on issues relating to economic
25 development and education or to education?

1 A. I would place it very high, almost equal to our
2 engagement in wellness, in environmental justice
3 and access to healthcare.

4 Q. And then finally, what about NCBA's
5 expenditures, what percentage of those go
6 towards economic development to education?

7 A. I would -- if I had to put an estimate on it, I
8 would still probably put it around the
9 15 -- 10 to 15 percent range.

10 Q. So I appreciate you bearing with me through
11 that. I'm now moving down to the -- it looks
12 like the final sentence, specifically:

13 "NCBA collaborates with
14 strategic partners to advance the
15 work of those organizations and to
16 enhance intentional collaboration
17 with black constituencies."

18 Did I read that correctly?

19 A. Yes.

20 Q. And is this referring to I believe the analogy I
21 used earlier was like that conference-type
22 structure you referenced?

23 A. Yes.

24 Q. So having gone through all these topics that
25 NCBA works in or is focused on, is it fair to

1 Q. Is it published on NCBA's website?

2 A. It may be if it's not already archived.

3 Q. So looking at the top of the first page, 676, if
4 you could just read that very first paragraph to
5 yourself, beginning with "The North Carolina
6 Black Alliance" and ending with "Black voter
7 education." If you can read that to yourself
8 and please let me know when you're ready.

9 A. Yes.

10 Q. So I'm specifically looking at the very last
11 sentence in that paragraph which reads:

12 "In the next two years, our
13 efforts will be to act as a
14 connector and sustainer of the
15 symbiotic relationships to create
16 a collaborative policy agenda that
17 seeks to engage the overall
18 community to increase Black voter
19 education."

20 Did I read that correctly?

21 A. Yes.

22 Q. What is does it mean that the NCBA wants to be
23 a, quote, connector or, quote, a sustainer?

24 A. So in community, there are a lot of ways that
25 individuals receive information, and there's

1 also a lot of ways in which the community
2 engages in programs and activities.

3 Oftentimes, what we find is that
4 organizations and entities on the ground, at the
5 grassroots level, are not connected to each
6 other. They are so busy doing their work that
7 they oftentimes don't have a moment to
8 understand how that work is connected.

9 And so we hope and worked in 2024 and
10 continue to do so to serve as a convener,
11 connecting through convening groups at the local
12 level and state level, similar to the Black
13 Summit formation in the local areas in which we
14 serve to create more long-lasting relationships
15 to create the change that we want to see.

16 Q. And what about a sustainer -- what does it mean
17 when NCBA says they want to be a sustainer?

18 A. Sustainer and being a consistent presence in
19 community for those connections and to be able
20 to resource those connections in ways in which
21 we can help organizations carry out their work
22 more effectively.

23 Q. Is it fair to say that being a connector or a
24 sustainer between organizations is a key role
25 that NCBA hopes to fill as part of its strategic

1 plan?

2 ATTORNEY LOPERFIDO: Objection to form.

3 THE WITNESS: Yes.

4 BY ATTORNEY KOONTZ:

5 Q. So turning to the next two pages, 0677 and 0678,
6 I'm specifically looking at the bottom where it
7 begins with Core Programming.

8 Are you with me?

9 A. Yes.

10 Q. And the header Youth Voter Engagement, how does
11 NCBA define a youth voter?

12 A. So there's two ways in which we look at youth
13 voters. It could be a first-time individual
14 voting in North Carolina, it could be a
15 first-time voter altogether, and more broadly, a
16 voter that is between the ages of --
17 preregistration, or in this case registration,
18 18 to about 30 years of age.

19 Q. What type of work does NCBA do in this area?

20 A. Very broad but specific to this base of voters.
21 In this case, we understand that the
22 connectivity between the issues that Black
23 voters face through the electoral process in
24 regards to barriers to voting can also be
25 barriers -- even greater barriers to young

1 convening of elected officials and strategic
2 partners and this one-time conference notion but
3 more so this expanse of being able to address
4 issues and to address systemic change is
5 becoming more and more intentional as the work
6 in the North Carolina Black Alliance continues
7 to grow, but it's always in alignment with our
8 mission.

9 Q. I appreciate that.

10 So looking back to that paragraph I
11 previously read on page 0682 of Exhibit 4 --
12 make sure I'm in the right spot -- so
13 specifically the last part of that sentence that
14 says, quote, "continue to shift our focus from
15 broad election-oriented messaging to specific
16 issues faced by our community partners on the
17 ground."

18 Did I read that correctly?

19 A. Yes.

20 Q. Is it fair to say that prior to 2024, or
21 whenever this document was written, the NCBA
22 considered its focus on elections as, quote,
23 broad?

24 A. Yes. Yes. I think -- and we still have a broad
25 array of election-related issues. I think the

1 way that we're going about creating change with
2 our partners on the ground, with our different
3 individuals that work with the Black Alliance
4 and our staff, I think it is becoming more
5 focused. The elements -- the work and analysis
6 is still very broad. The focus on creating
7 systemic change is more and more apparent as we
8 do this work and identify from residents in
9 community the harms that these policy changes
10 have on certain issues or constituent bases in
11 our organization.

12 Q. So you can set that to the side.

13 And I'm going to mark what will be
14 Exhibit Number 5.

15 (WHEREUPON, Exhibit 5 was marked for
16 identification.)

17 BY ATTORNEY KOONTZ:

18 Q. And this is a document titled NCBA_0001962. Put
19 that in the chat, and then if you'll just let us
20 know once you've received it and have had a
21 chance to review.

22 A. Okay.

23 Q. Mr. Bass, do you recognize this document?

24 A. Yes.

25 Q. What is it?

1 as where they receive mail. And even if there
2 are campuses that have a mail house as opposed
3 to mail being delivered directly to the dorm,
4 there is a certain way in which it has to be
5 written.

6 Typically, we like, as a best practice
7 when institutions communicate directly to the
8 state board giving their entire roster of
9 students, but we recognize that that's not
10 uniform. There's not a process by which the
11 state has asked for that to happen, even though
12 we've asked for them to do that.

13 And so the best remedy, even though it
14 is not the most effective in ensuring that every
15 student can vote is by placing this information
16 in person with the student, digitally online,
17 and then through our workshops that we conduct
18 on the campuses. We make sure that voters in
19 this case understand the nuance in their
20 residential address versus their mailing
21 address.

22 Q. So when these B.A.R. fellows are on campus and
23 handing out voter information or registration
24 information to students, does NCBA update its
25 handouts any time there's a change in election

1 law?

2 A. We have to. It is an unfortunate cost or
3 expense in our work having to recreate documents
4 whenever there's a change, but it is necessary
5 especially with this specific group of voters
6 because of their differences in residency and
7 the newness of the electoral process.

8 This is a governmental task that
9 they're asked to perform, some of which being
10 18 years of age or younger and there is
11 hesitancy in getting it right and nervousness
12 around getting it wrong, and so we found our
13 role to be very significant in helping navigate.

14 Of all the paperwork that students have
15 to complete when they're first coming onto
16 campus and when they're first coming into these
17 settings, this is one of the most important and
18 most longest lasting, honestly, and so we want
19 to make sure we help our students navigate that
20 process.

21 Q. And you mentioned that this is posted on NCBA's
22 website; is that right?

23 A. Correct. It's under our NC voter college
24 student section.

25 Q. Does NCBA do any sort of tracking to see how

1 indicator of this low performance. It was
2 enough so that we had to note because turnout by
3 virtue of the campus population was
4 significantly lower than what we would imagine
5 the average to be on the rest of the campuses.

6 Q. How is NCBA measuring student voter turnout at
7 these polling sites?

8 A. So we'll have our volunteers on campus to spot
9 check during the shift of actual hand counts of
10 voters or head counts of voters. We'll also
11 check in with the boards of elections at each
12 polling site. Whenever a voter exits, there is
13 an actual number that is attached. That's not
14 always an indicator of how many voters, but we
15 keep a tally of those. And also at the end of
16 each election cycle, the North Carolina State
17 Board of Elections produces reports of voter
18 turnout reports by precinct.

19 Q. So another issue I believe is listed in here and
20 that is for NC A&T. There were -- well, lines
21 were long; is that right?

22 A. Correct.

23 Q. And then at the four universities where there
24 are listed poll incidents during the 2024
25 primaries, would you agree with me that all four

1 have, quote, "A few registrations not on file"
2 listed as a problem?

3 A. Yes. Interesting to note that those issues are
4 happening in the larger campuses.

5 Q. What does NCBA do when it receives reports of
6 poll incidents?

7 A. So there are -- first, we like to be in
8 communication with our partners that are doing
9 election protection work to see if there's any
10 other entity that may be experiencing these
11 issues or having voters report those issues.
12 Then we communicate directly with the county
13 board of elections. We call into the county
14 boards, speak to the executive director, in some
15 cases instances of volunteers onsite will
16 actually have them go in and speak to the
17 election official.

18 Q. Does NCBA do any follow-up with the student
19 themselves?

20 A. Yes, in some cases we will follow up with the
21 students.

22 Q. But are there instances in which NCBA might not
23 follow up with a student?

24 A. In some cases we may make a contact with the
25 student and they may not respond. Again, just

1 based on the dynamics of the situation, we can't
2 make a voter vote. We wouldn't get into that
3 process, but if a voter wants to vote and felt
4 as if they were not allowed to vote and they
5 contact us, we do our due diligence in ensuring
6 that we reach that voter during the time period
7 by which they can either remedy a problem on
8 their ballot, actually go in and renew their
9 registration in the appropriate manner or
10 determine if there's an issue with the way in
11 which they were communicated at the polling
12 site.

13 Q. Thank you, Mr. Bass. You can set that exhibit
14 to the side.

15 Excluding conversations with your
16 counsel, how did NCBA come to be a plaintiff in
17 this action?

18 A. So as you can imagine, we follow the policies
19 that are introduced in the General Assembly.
20 Quite frequently, we are alerted to bills as
21 they are -- as they come in, especially during
22 close to the election cycle or are election
23 related.

24 When we first learned about 747, it had
25 similarities to what was referred to as the

1 enough burden in our mind to believe that
2 college students in particular are singled out
3 specifically. Unlike any other resident that
4 may have a more secure way of receiving mail,
5 college students in some cases there is enough
6 variance to say this bill creates an undue
7 burden.

8 Q. How has NCBA been harmed by the same-day
9 registration provisions of 747?

10 A. My stomach's growling, I don't know if that
11 comes through on the mic.

12 Significantly, our work on the campus
13 before same-day registration changes was more so
14 around turnout, making sure that voters had the
15 documents necessary and making sure they were
16 able to go vote.

17 Now we have spent a considerable amount
18 of time and energy and staff capacity in
19 identifying the different ways in which campus
20 mail processes may encumber or send back a voter
21 card unknowingly to the demise of the student
22 that is actually trying to vote.

23 All of this effort around same-day
24 registration changes have made it more difficult
25 for us to actually do the robust voter turnout

1 and mobilization during the early voting cycle
2 with the assurance that the voters that
3 participate in those programs are able to vote.

4 Our staff has had to spend time talking
5 to postmasters of which are not voting rights
6 experts, nor should they be in the position to
7 validate or invalidate a student's status, and
8 in some cases the difficulty of finding these
9 individuals who are already overworked has been
10 challenging too.

11 Our Raising the B.A.R. fellows are
12 having to go talk to postmasters and ask them
13 about challenges and changes, having to actually
14 find voters that may or may not have received
15 their verification card in a timely manner as
16 well, too.

17 So we've some challenges in ways in
18 which we would not have had to spend this much
19 time on the process, on ensuring that the
20 process was provided in a way in which a voter
21 was able to actually see their vote count or see
22 their registration count.

23 In this case, we would not have spent
24 this much time working with students to inform
25 them of the change, working with the student

1 affairs professionals, getting contacts and
2 communication with the postmasters, identifying
3 with the postmasters those that have processes
4 by which they send back a mail verification
5 form, so there's a lot of ways in which this has
6 impacted our work.

7 Q. I believe you testified earlier, and please
8 correct me if I'm wrong, that NCBA updates its
9 materials and its efforts any time there's a
10 change in election law; isn't that right?

11 A. Yes. Yes. And that is not something that is
12 always a budgeted expense. When you think about
13 the fact that elections really should be the
14 same every single year and especially with a
15 policy that was not researched. In some cases,
16 a lot of these bills flying from other states,
17 we're hearing from other areas that these are
18 not necessarily bills that have to do with voter
19 integrity in North Carolina, but the changes
20 require us to go back and scrap dozens of print
21 material, invest in reprinting those materials.

22 And so it is not a function of our work
23 to have to change the nature in which we educate
24 voters, but it is incumbent upon us because of
25 the hostile nature in which policies are enacted

1 around election laws that we have to, as a part
2 of our mission, if we're going to give voters
3 accurate information, then we're having to go
4 back and reconfigure these pieces and add
5 different elements to our digital print and our
6 training materials as well, too, and the way in
7 which we training and educate voters whenever
8 these changes happen.

9 We would like to have a set standard by
10 which elections are administered that allows us
11 to create a process that doesn't confuse voters.
12 And if we didn't change our pieces of material
13 or aspects of the resourcing of that work or
14 pulling together those documents, then we would
15 be misinforming voters. So by nature of the
16 changes, we have to make those changes. It's
17 not something that we do by virtue of a want,
18 but in effect, if we send out inaccurate
19 information because policy shifted, that would
20 be negligent on us.

21 Q. So how does the change to same-day registration
22 in 747 impact NCBA's core mission?

23 A. We see policy changes, systemic change to be
24 connected to the process of voting. There are
25 voting policies, and those voting policies can

1 either improve the lives of constituents or it
2 can hinder -- further hinder lives of
3 constituents.

4 We see systemic issues and the voting
5 process as living in one spectrum, as in the
6 more individuals can participate in the
7 political process, the more they can create
8 systemic changes to policies.

9 Now, when you change the laws, in
10 particular when you make a change that encumbers
11 or hinders a college student from voting, of
12 which North Carolina has several hundred
13 thousand college students, these changes don't
14 just impact HBCU students. And I think it is
15 incumbent upon us in our mission to make sure
16 that while we are working through our programs
17 on our HBCU campuses that our work improving the
18 voting process has implications far greater than
19 just the 16 campuses that we're currently on.

20 Q. NCBA is still able to advocate in the community,
21 right?

22 A. I think the utilization of our democratic
23 process in creating systemic change is hindered
24 by the introduction of discriminate change to a
25 requirement for registration.